

1 UNITED STATES DISTRICT COURT

2 DISTRICT OF NEVADA

3 MARK PICOZZI,

Case No. 2:20-cv-00518-RFB-BNW

4 Plaintiff

ORDER

5 v.

6 STATE OF NEVADA, et al.,

7 Defendants

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I. DISCUSSION

10 Plaintiff Mark Picozzi, who is in the custody of the Nevada Department of
11 Corrections ("NDOC"), initiated this action with a *pro se* civil rights complaint filed
12 pursuant to 42 U.S.C. § 1983. (ECF No. 1-1.) Herman Munoz, Picozzi's cellmate, has
13 filed a motion to join in this action (ECF No. 8) and a motion for appointment of counsel
14 (ECF No. 9).

15 Picozzi's complaint raises several different claims, one of which deals with ongoing
16 medical issues that cause rectal bleeding. (ECF 1-1 at 4-25.) Munoz indicates that he is
17 Picozzi's roommate and that Picozzi's rectal bleeding is unsanitary and will cause Munoz
18 health problems. (ECF No. 8 at 1.) Munoz requests to be added to the complaint in this
19 action. (*Id.*) A *pro se* complaint must be signed by the plaintiff bringing that complaint.
20 See Fed. R. Civ. P. 11(a). As such, the complaint in this action is only valid for the Plaintiff,
21 Mark Picozzi. Munoz cannot proceed as a plaintiff based Piccozi's complaint.

22 If Munoz wishes to pursue an action in this Court, he must file his own signed
23 complaint in a new case and must either pay the filing fee or submit his own application
24 to proceed *in forma pauperis*. In light of the Court's order denying Munoz's motion to be
25 added to the case, the Court also denies Munoz's motion for appointment of counsel. If
26 Munoz decides to pursue his claim in a new case, he may file a motion for appointment
27 of counsel in that case.

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II. CONCLUSION

For the foregoing reasons, IT IS ORDERED that Munoz's motion to be added as a plaintiff to this action (ECF No. 8) is DENIED and Munoz is dismissed from this action.

IT IS FURTHER ORDERED that Munoz's motion for appointment of counsel (ECF No. 9) is DENIED as moot.

IT IS FURTHER ORDERED that if Munoz wishes to pursue any civil rights claims, he must submit his own signed complaint in a new case and must either pay the filing fee or submit his own application to proceed *in forma pauperis*.

IT IS FURTHER ORDERED that the Clerk of the Court will send to Munoz the approved form for filing a § 1983 complaint and instructions for the same.

IT IS FURTHER ORDERED that the Clerk of the Court will send Munoz the approved form application to proceed *in forma pauperis* by an inmate, as well as the document entitled information and instructions for filing an *in forma pauperis* application.

DATED THIS 31st day of August 2020.

Ben Weller
UNITED STATES MAGISTRATE JUDGE